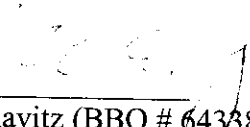


Civil Action No. 04-11940-PBS

WHEREFORE, the Respondent requests that this Honorable Court allow this Motion and dismiss the Petition in its entirety.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL



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Dated: December 24, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on December 24, 2004, by first class mail, postage prepaid, upon:

Stephen John Casey, Sr.
W-67232
North Central Correctional Institute
500 Colony Road
P.O. Box 466
Gardner, MA 01440

pro se



Randall E. Ravitz